

PATENT

ATTY. DKT. NO.: 57127/01-601

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Levine

Application No.: 10/004,429

Filed: 10/25/2001

ATTN: REFUND

U.S. Patent and Trademark Office
Alexandria, VA

REQUEST FOR REFUND OF FILING FEE

1. REFUND REQUEST

On October 16, 2004, applicant mailed a Request for Continuing Examination application to the Patent Office. A copy of the Request for Continued Examination (RCE) Transmittal is attached. Applicant indicated on the Fee Transmittal that the filing fee was for a small entity in the amount of \$395.00.

Applicant's Deposit Account No. 06-0540 was charged \$790.00 on October 22, 2004 for the large entity filing fee of \$790.00, an excess charge of \$395.00 (copy of deposit account statement for 06-0540 for October 2004 attached).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being faxed to Refund, U.S. Patent and Trademark Office, facsimile telephone No. 703/308-6778 this 17th day of December, 2004.

Nancy J. Moore
Nancy J. Moore

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2. FEES CHARGED FOR WHICH REFUND REQUESTED

X Fee Code #1801 - Request for continued exam \$790.00
(Large Entity)

3. FEES WHICH SHOULD HAVE BEEN CHARGED

X Fee Code #2801 - Request for Continued Exam \$395.00
(Small Entity)

TOTAL REFUND REQUESTED \$395.00

4. EXPLANATION OF WHY CHARGES SHOULD BE REFUNDED.

Applicant correctly indicated the small entity filing fee of \$395.00 was to be charged to Deposit Account 06-0540; however, the Patent Office overcharged the Deposit Account by \$395.00.

5. MANNER OF REFUND

Please make refund by crediting Account No. 06-0540.

Fred H. Holmes 12/17/04
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FACSIMILE COVER SHEET

Date: December 17, 2004NUMBER OF PAGES INCLUDING THIS COVER SHEET: 3

TO	COMPANY NAME	FAX NUMBER
ATTN: REFUND	United States Patent and Trademark Office	703.308.6778

FROM: Fred H. Holmes, Esq.

Attorney Docket No. 57127/01-601

Re: In re application of: Seymour LEVINE
Serial No.: 10/004,429
Filing Date: 10/25/2001

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MESSAGE: Attached please find a Request for Refund of Filing Fee against the Deposit
Account of the undersigned, No. 06-0540. Please do not hesitate to contact us should you have
any questions.

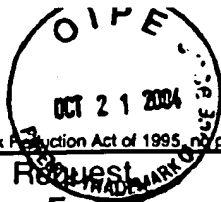
Thank you.

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Request For Continued Examination (RCE) Transmittal

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Table with 2 columns: Field Name, Value. Fields include Application Number (10/004,429), Filing Date (10/25/2001), First Named Inventor (Levine), Art Unit (3661), Examiner Name (Gary Chin), Attorney Docket Number (57127/01-601).

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

Main body of the form with sections 1, 2, 3. Includes checkboxes for submission requirements, fees, and miscellaneous options. Contains handwritten 'X' marks for selections.

Stamp: OCT 25 2004 GROUP 3600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED. Fields for Name (Print/Type), Signature, Registration No., and Date.

CERTIFICATE OF MAILING OR TRANSMISSION. Fields for Name (Print/Type), Signature, and Date.

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO.

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Adjustment date: 01/24/2005 SDIRETA1
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